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AUTHOR Bazemore, S. Gordon
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ABSTRACT

This document is a model curriculum for the development of employment components for juvenile restitution programs. It provides a practical discussion of the experiences of five restitution projects around the country, lists their job components, and presents an overview of the common features of successful employment components. A step-by-step implementation guide outlines easy, onsite technical assistance for a 2-day participation-oriented training session for professionals. The guide is written to encourage trainees to develop an implementation plan while remaining mindful of possible pitfalls in selling the idea to the community, the government, and private businesses. It provides a mixture of strategies so that a plan can be developed that best suits a jurisdiction's potential resources and the needs of the community while holding juvenile offenders accountable to victims in a therapeutic way. Attachment A provides a questionnaire for practice and resource assessment. A listing of 23 selected readings in youth employment is provided. (CML)

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The Restitution Experience in Youth Employment

A Monograph and Training Guide to Jobs Components

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The Restitution Education, Specialized Training, and Technical Assistance Program (RESTTA) is designed to promote the use of restitution in juvenile courts throughout the United States. Supported by the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, RESTTA is a cooperative effort involving the National Center for State Courts, the Pacific Institute for Research and Evaluation, and the Policy Sciences Group of Oklahoma State University. The Juvenile Justice Clearinghouse at the National Criminal Justice Reference Service operates the National Restitution Resource Center in support of the RESTTA Program.

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

The Restitution Experience in Youth Employment

A Monograph and Training Guide to Jobs Components

S. Gordon Bazemore

September 1989

Office of Juvenile Justice
and Delinquency Prevention

Terrence S. Donahue
Acting Administrator

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Foreword

The use of restitution as an alternative disposition for juvenile offenders is gaining widespread support from jurisdictions all across the United States. When properly designed and implemented, restitution programs are an effective mechanism for holding delinquent youths accountable and responding to the needs of victims.

Throughout most of its existence, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has fostered the development and growth of restitution. Over recent years, OJJDP has funded the Restitution Education, Specialized Training, and Technical Assistance (RESTTA) program, which produced this monograph on *The Restitution Experience in Youth Employment*. The publication includes a training guide for employment development. Enabling juvenile offenders to earn the wages with which to compensate the victims of their crimes is an important aspect of restitution and of youth corrections.

This document provides valuable information about the complex area of youth employment and the creation of job opportunities for delinquents. We are certain that the publication can be of significant benefit to your program.

Terrence S. Donahue
Acting Administrator
Office of Juvenile Justice and
Delinquency Prevention

Preface

The Restitution Education, Specialized Training, and Technical Assistance (RESTTA) project, sponsored by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), is pleased to present this model curriculum for the development of employment components for juvenile restitution programs.

A structured employment program that helps juveniles get jobs is a desirable and often necessary feature for monetary restitution programs because the success of a program depends on the ability of offenders to pay back their victims. A lack of jobs is often a barrier to implementing or expanding a restitution program.

This manual provides a thoroughly practical discussion of the experiences of restitution projects around the country with their job components and presents an overview of common features of successful employment components. A step-by-step implementation guide outlines easy, onsite technical assistance or a 2-day participation-oriented training session. The guide is so written as to encourage trainees to develop an implementation plan while remaining mindful of possible pitfalls in selling the idea to the community, the government, and private businesses. It provides a mixture of strategies—important in developing a plan that can best suit a jurisdiction's potential resources and the needs of the community while holding juvenile offenders accountable to victims in a therapeutic way.

The author, Gordon Bazemore, Ph.D., is the RESTTA Technical Assistance Coordinator and a Senior Research Associate with the Pacific Institute for Research and Evaluation (PIRE). He was formerly a staff member at the Institute of Policy Analysis, which conducted the national evaluation of the OJJDP-sponsored Juvenile Restitution Initiative.

Peter R. Schneider, Ph.D.
RESTTA National Coordinator
Vienna, Virginia

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Part I. The Restitution Experience In Youth Employment

INTRODUCTION

Among some 400 juvenile restitution programs, 34 percent indicated in a recent national survey that they arrange paid job slots for referrals (Schneider and Warner 1985). Juvenile justice practitioners who attempt to implement or expand restitution programs frequently cite lack of paid jobs as a major barrier.

Although not all juvenile restitution programs become involved in finding or developing jobs for their clients, most practitioners recognize that some kind of employment assistance is highly desirable. For many this has meant developing a "jobs component," or systematic approach to ensure that a job slot will be available for any offender who has no other source of income to pay restitution.

Reasons commonly cited by restitution program managers for investing time and energy in developing a "jobs component" include:

- Increasing the possibility that poor or hard-to-employ offenders can make monetary restitution to victims.
- Avoiding lack of work as an excuse for nonpayment.
- Improving enforcement of restitution orders.
- Increasing the certainty and timeliness of payments to victims.
- Improving the program's efficiency in monitoring restitution.
- Permitting recommendation of realistic payment schedules to the court through program control over the source of earnings. (Program managers can be assured that restitution is not being paid by parents or through theft.)
- Allowing for larger restitution orders and greater return to victims.

Managers increasingly cite employment as important in its own right because it can provide a positive work experience for offenders, many of whom have never held a conventional job. Work thus appears a key component of a balanced approach to juvenile justice. From the accountability perspective, work can instill a sense of responsibility and an understanding of the value of goods and money. Work can be emphasized by those who argue that a major goal of juvenile justice should be to enhance offender competence, and advocates of treatment emphasize the therapeutic effects of employment.

In restitution programs that accept more serious offenders, managers emphasize work programs as a cost-effective strategy for increasing the level of surveillance and supervision in the community. These programs offer substantially enhanced monitoring or "incapacitation" of offenders, well beyond what is provided by traditional probation.

For employers and the community at large, advocates of job components argue that successful ones educate the public about the value of offender work. They offer a return to both victims and community, and provide a means for local participation in solving the delinquency problem. In many cases employment components have also resulted in substantial residual support for general juvenile justice programming.

Should the goals of work and restitution be emphasized in the same program? While the tasks of collecting restitution for victims and developing employment for offenders may seem to imply somewhat different priorities, many practitioners have found restitution and youth work programming highly compatible. Instilling positive work values and habits fits well with the accountability and responsibility ethic of restitution programs, while paying restitution can help give structure and meaning to the employment experience. As juvenile courts seek a more comprehensive approach emphasizing public safety, accountability to victims, and the development of offender competence, the emphasis on work is likely to become one of the strongest features and best selling points of restitution programs and juvenile justice in general.

An outreach emphasis

For purposes of this monograph, the term "job assistance" (JA) will refer to all efforts to aid program clients in finding employment. It has two key dimensions: a *direct service* or job preparation focus on working with offenders to improve their employability, and an *outreach* or job-development focus emphasizing activities to ensure that employment or work experience is available for offenders.

Important aspects of any comprehensive job assistance effort include direct service such as counseling, job skills training, role playing, and other activities focused on job discipline, demeanor, and employer expectations (job *orientation*); remedial assistance in basic skills such as reading and writing (job *readiness*); and resume writing and interviewing skills (job *search*). Although restitution program managers disagree about how much to emphasize these functions, one or more seems to be a common feature of virtually all restitution programs assisting youthful offenders with employment.

While a few programs are still exclusively concerned with direct service activities or job preparation, most now seem to be moving toward a more active stance, toward ensuring that jobs will be available for offenders who need them. Unfortunately, job development and outreach activities are often unfamiliar to youth workers who, although comfortable working with offenders, often have little experience approaching employers or the public.

Job preparation guides and curriculums are widely available for improving offender job readiness. But the outreach techniques that have characterized successful efforts to establish work opportunities for young offenders are rarely discussed in the traditional youth employment literature. Little is available for the juvenile justice practitioner seeking strategies to ensure that paid employment opportunities are available to youth who owe restitution.

The primary focus of this monograph will be on job development or the outreach aspects of job assistance. There are many reasons why a greater emphasis on outreach activities is warranted. Experience and existing research indicate that youth employment strategies have been most successful when based on a real assessment of community needs. Conversely, they have been least successful when emphasizing the personal deficiencies of young clients. Moreover, an effective outreach strategy can and should set the agenda for a program's direct service work in job preparation; that is, skills training, job readiness, and job orientation can be tailored to the employment situation in a given community.

While an overemphasis on job preparation generally results from a genuine concern that offenders be equipped with appropriate skills, preoccupation with remediation has too often resulted in outdated training for jobs, preparation for jobs that do not exist, or promotion of "make work" solely for the purpose of accommodating real or perceived client needs.

What can restitution programs expect of young offenders when they are placed in jobs? Although the record on youthful offender employment is mixed, it does suggest that even the most disadvantaged youth (including serious offenders) can perform well in a variety of employment settings and can be expected to complete work considered useful by the community and employers. For the program manager who would invest in a jobs component for young offenders, the key issue seems to be finding community and employer needs and filling them.

Using this manual: Objectives and learning goals

This monograph is organized into three sections. The first discusses the experience of restitution projects in youth employment. The second is an overview of common features of successful restitution jobs components. Third is an implementation guide that may be used in an onsite technical assistance and training session.

The manual is intended to be modified, updated, and used in a flexible manner as new approaches are developed. It should give the practitioner an appreciation of basic principles and a general understanding of how youth employment functions in restitution projects. Moreover, after reading this monograph and participating in the 2-day training process it outlines, practitioners should—

1. Be able to discuss several job development strategies that have proved successful in restitution programming.

2. Be able to identify appropriate public and private employers of youth in restitution programs in their own communities and work projects that could be done by youth crews.

3. Be able to assess local resources and choose an implementation strategy for starting out.

4. Identify examples (and characteristics) of good work projects and organize a work crew for one local project.

5. Identify steps and techniques to approach employers and support groups in their own communities.

6. Be familiar with common obstacles in youth employment and have initial strategies for surmounting the obstacles.

7. Have developed an action plan outlining steps for implementation of a comprehensive jobs component.

Although this guide and the training agenda it suggests draw upon other youth employment experiences in suggesting *do's* and *don'ts* of good work programs, it is based primarily on approaches used in community-based juvenile restitution programs. Currently, most of these are located in probation departments or community-based organizations. Residential and postresidential programs are relatively new on the scene. While some of these include innovative job assistance components and will be mentioned in some of the examples discussed here, the focus of the monograph and training are primarily on community-based projects.

Ultimately, the monograph is meant to provide a sense of the wide range of strategies available to restitution projects wishing to provide paid jobs for offenders, and of what is practical as well as possible. The examples should not limit (and one may hope will stimulate) further discussion about new approaches and variations that may be more appropriate in particular settings. Solutions to the common youth employment problems discussed in this document are those that have worked well in various restitution programs around the country, but they are not offered as complete answers and are not meant to trivialize the sometimes considerable obstacles to implementation. They should be used, rather, as a basis for discussion and information sharing.

PROGRAM VARIATION AND THE LOCAL INNOVATION

The restitution context

Job assistance for youthful offenders is nothing new. Employment programs targeted at a variety of disadvantaged youth, including dropouts and delinquents, were a visible feature of Federal programs of the 1960's and 1970's. Some of these have continued to the present in some form, utilizing a variety of funding sources.

Because restitution programs make job assistance only a secondary concern, they should not have been expected to distinguish themselves in this arena. In fact, the job components in restitution programs have generally been far more limited in scope than many of the larger, more focused federally funded efforts. Nevertheless, restitution jobs components have taken hold and have achieved a tremendous amount of popularity and community support. This chapter will describe some notable examples.

Although systematic evaluation of these examples would be necessary to determine their long-term impact on recidivism and future employment, what is obvious is their ability to find jobs for large numbers of offenders—many of them serious and chronic delinquents—often after only a few months of operation. Equally impressive in an era of declining support for jobs programs is their ability to convince the community, employers, and funding agencies of the benefits of offender employment.

While these projects are no panacea for all employment problems of this target population, most restitution programs have developed innovative solutions to liability concerns, child labor restrictions, and competition with organized labor—obstacles that have inhibited implementation of other youth employment efforts. In addition, these projects' wide appeal to funding and support organizations, as well as the creativity and commitment of the project directors and staff, suggest a large capacity for growth and enhancement of services and a good chance of overcoming current limitations.

What are the reasons for this success, popularity, and rapid implementation? With few employment models or formulas available, and given the diversity of community surroundings, necessity seems often to have been the mother of invention. A common strength in restitution jobs components, therefore, has been flexibility in adapting to local community constraints and resources.

Erie, Pennsylvania. In the Erie County Earn-It restitution program, youths who need a job to pay monetary restitution may be referred to one of the program's work crews. These are supervised by the project, but are under contract to county or city agencies for janitorial services, snow shoveling, washing county cars, and other tasks. Earn-It pays minimum wage to the juveniles, who work in 3-hour shifts after school, and deducts up to 75 percent of their salaries for restitution.

Relying initially on a job bank of private sector job slots, the project experienced difficulty placing younger offenders and more serious delinquents in what were predominantly small-business jobs. In 1984 the program began developing contracts with county agencies for janitorial services, gradually earning a reputation for quality work. At first a part of the probation department, Earn-It incorporated the following year to become more competitive and to resolve liability and insurance issues more easily. The project expects to generate approximately $90,000 in contract income from Erie County in 1987 and will employ approximately 75 offenders in its work crews.

Waterloo, Iowa. In Black Hawk County, Iowa, when a youth owing monetary restitution is referred to the Youth Restitution Program, project staff determines whether he or she is employed or has savings, an allowance, or property that could be used for restitution. For those (an estimated 20 percent) who have none of these resources or insufficient funds to pay restitution on time, the program staff may refer them to one of several paid employment options. These include individual or work crew placements in such public agencies as a senior citizens center, public parks, or day care facilities. Program staff members try whenever possible to place youths in jobs relevant to their offenses as well as to their interests and aptitudes: for example, a young offender who robbed an elderly victim was assigned to work in a

senior center. Staff persons also emphasize the job skills aspects of public jobs, pointing out that offenders who have never worked at any job may learn even from simple tasks like painting and lawn mowing if supervision is close and consistent.

A State subsidy fund, established through legislation, allows the program (and all restitution programs in the State) to pay project youth subminimum wages for work in public sector jobs and to deduct money for payment to their crime victims. The State fund may also be used for staffing and other program support. Project personnel have been exploring opportunities for direct contract work with various agencies and local service clubs, and recently a crew was hired by the local Kiwanis club to clear or build a canoe access at the town's river park.

Central Oregon. In three rural counties in Central Oregon, delinquent youths owing restitution may be placed in one of the region's Youth Conservation Corps (YCC) facilities, where they perform work on State and Federal lands including reforestation, stream clearance, park maintenance, and other projects selected to enhance the environment. Participants may also work in small-town beautification or reforestation projects selected to promote community pride and economic development (e.g., through increasing tourism). Court referrals who do not have a job or who, after careful screening, do not appear suitable for private sector placement may be sent for an interview with a work crew supervisor. They will then begin a comprehensive program of job training and experience involving both paid and unpaid public work, environmental education, GED preparation, and eventual job placement. The paid work phase of the program follows 2 to 3 weeks of mandatory community service with a YCC and is supported by contracts with public agencies as well as by program funds. Some youths, however, are placed directly in private sector jobs. In both work crew and private sector jobs, restitution is deducted from the paychecks of youths who owe it, until victims are repaid.

San Bernardino, California. Started as an employment program which later adopted a restitution focus, Riverside County's "Jobs Against Crime" program has been able to build strong alliances with local business leaders as well as key representatives of organized labor and other community groups. According to the project director, employers who support the Riverside program serve on an "activist" board of directors, donate funds, agree to hire program youths, and assist with their job training and orientation. This business-probation partnership has resulted in a good supply of job slots for offenders as the program's reputation has grown.

A unique feature of the "Jobs Against Crime" program is its aggressive recruiting of more serious juvenile offenders from three juvenile halls in the area, and from residential facilities of the California Youth Authority. Screening procedures are strict and, according to the director, are designed to separate the "motivated from the merely desperate." Rules of behavior and dress codes are enforced at all times. An 8- to 12-week training course combines onsite experience with mock job interviews, business speakers, and general job preparation activities. Begun with a small Federal job training grant, the program now operates on county funds, private donations, and recently a grant that funds 20 on-the-job training slots. The project deducts 20 percent from the young offenders' paychecks for all paid work until the restitution order is paid in full.

Northumberland and Lehigh Counties, Pennsylvania. In two small Pennsylvania counties, probation departments have devised simple but innovative procedures for funding restitution employment using a combination of fines and court costs. In Lehigh County, fines and court costs that had been collected routinely over the years and kept in an escrow account have recently been earmarked for use as a restitution fund. The funds will be used to pay victims of offenders who will fulfill their restitution requirement through work in public agencies. Juveniles not otherwise employable because of age or other problems are "credited" for this work toward their restitution obligation.

In Northumberland County, unemployed restitution cases are placed in subsidized public sector job slots, which are funded by a supervision fee as well as court costs. During 3 years of operating with this procedure, the Northumberland probation staff reports a collection rate of 89 percent.

How they differ

These brief accounts only suggest the proliferation of approaches that have evolved to fit local employment needs and take advantage of available resources in a variety of communities. In general, restitution employment strategies differ primarily in who supervises and takes responsibility for employees on the job, who pays the youth's salary, and whether the placement is individual or involves a group project or work crew. Other differences between jobs components strategies can be found in the nature of the job placements or kinds of work sought for offenders, the proportion of earnings offenders are allowed to keep, staffing and internal resources, use of volunteers and external support organizations, and specific services offered, such as transportation to work sites (see figure 1).

Restitution projects also differ in the goals of offender employment. In some programs the sole concern is providing a temporary income for youths to pay back a victim. In others, the eventual placement of youngsters in permanent jobs, educational improvement, and other more long-term outcomes are emphasized.

Figure 1. Variations in jobs components

Nature of work	Source of wages
• Social services	• Subsidies
• Conservation	• Contracts
• Public works	• Individual business
• Retail, fast food, other small business	• Fees and fines
Placement type	Supervision
• Private business slot	• Private employers
• Project-operated work crew	• Project staff
• Individual public agency slot	• Agency staff
	• Volunteers
Goals and emphasis	Percent of earnings kept by youth
• Restitution payment only	• None
• Work values, job experience	• 20 to 50 percent
• Educational improvement	• Up to 80 percent
• Future job placement	

Since most projects eventually use several methods, it is less useful to discuss model job components than to describe basic approaches—some of which can be used in the same program. For purposes of this monograph and training guide, strategies used in restitution jobs components can be broadly divided into three types:

1. Subsidized individual placements. These use public funds, fees, or fines to pay salaries or stipends to offenders—who then pay restitution or have it deducted from their checks—for work in public or private nonprofit agencies.

2. Private sector job banks. Perhaps most familiar to juvenile justice professionals is the Quincy, Massachusetts, "Earn-It" program's job bank approach. Based on agreements with local small businessmen to reserve job slots for restitution cases, the Quincy strategy has been highly successful in ensuring temporary jobs for youthful offenders with restitution orders. Replications of the job bank approach have been attempted by restitution projects in a number of communities, but have been less effective in areas lacking a healthy and active small-business sector.

3. Project-supervised work crews. These take on work projects using groups of offenders who are generally paid through subsidy funds or contracts with government agencies. A rarely used variation of this strategy involves forming a "youth business" in which offenders may produce goods or deliver services to earn restitution.*

Once a restitution project has decided to focus on job assistance, staff must also face the issue of how much energy and resources to devote to "training kids" (job preparation) as opposed to "training the community to hire kids" (job development and outreach). While virtually all program managers insist, before referring offenders to employers, on rigorous job preparation, careful screening, or both, some choose to spend the bulk of their job assistance time—at least initially—in job development activities. Although few projects ignore job development entirely, others place a much greater emphasis on providing young offenders with the skills to find jobs on their own. They argue that it is better

* In residential settings, private businesses have also been persuaded to establish ongrounds enterprises that employ offenders owing restitution.

to place the responsibility for finding employment on the offenders rather than conduct a job search for them.

What becomes clear on closer examination, however, is that even advocates of the most comprehensive job development approaches (those that can offer one or more placements to every referral) find ways of making youths take responsibility and initiative. At the same time, this objective must be balanced with practical concerns about efficiency and the prompt payment of victims. For example, some programs require that offenders be interviewed by employers even when the job slot is set aside or the work to be done is supervised by the program. Others require attendance at job placement workshops and some demonstration of motivation to find employment before assignment to a specific job. Still others attempt to instill responsibility on the job through close supervision of project-sponsored work crews, or to make the offender responsible for seeing that money is sent to victims on a reasonable schedule.

Often the differences between job preparation activities at different employment components are less in whether programs should be concerned with preparing offenders for employment than in how this task should be accomplished. A number of program managers delegate much of the job preparation function to reliable community agencies who are specialists in these tasks, and devote their own limited time to securing job sites, initiating work projects and to other outreach activities. Some have also taken issue with the underlying assumptions of traditional job training and readiness techniques *(see accompanying story,* "Getting them ready to work").

"Getting them ready to work: Rethinking job readiness training"

Criticisms of job readiness training are very familiar to most educators and employment specialists. Not the least of these criticisms is that young people are often trained for jobs that do not exist or that require substantial advocacy and outreach with employers to ensure that youth have an equal chance of being hired. Especially in the case of delinquents and other youths at risk, job trainers who do not attend to these issues may inadvertently set up yet another failure and aggravate offender resentment toward legitimate society.

Yet, in the view of Judge Anthony Kline, founder of the nationally acclaimed San Francisco Conservation Corps, the biggest problem with traditional job training approaches can be summed up in one question: "How can we expect high school dropouts to drop *in* to another school?"

Many job training programs involve the kind of passive, remedial activities that often contribute to the alienation many young people feel toward school. It is ironic that we continue to try these approaches with those very youths—delinquents and dropouts—who were the least responsive to them in the first place. Learning experts know that most of us "learn by doing," yet we continue to insist that youths who have had the most difficulty with traditional educational environments be subjected to even more passive instruction in how to prepare for and behave on a job.

Business leaders have now joined the chorus of criticism against traditional job training. According to Dennis Newell of the Eastern Oregon Private Industry Council, many job training funds are "dithered away" as schools and community agencies continue to concentrate on remedial preparatory activities. While these agencies have sometimes done a good job in placement, according toNewell, the retention rate has been poor. Employers have complained persistently about high injury rates, poor on-the-job demeanor, and lack of discipline. Many are now arguing that what is most needed is employment experience that allows young people to learn job discipline and employer expectations in a real work setting.

Some directors of job assistance efforts have responded to this criticism by experimenting with approaches that incorporate job readiness into an actual paid or unpaid work experience. Investing in supervised work crews as a means of teaching job orientation and discipline and of assessing job readiness outside the instructional setting has been one such strategy.

Part II. Common Features of Successful Jobs Components

What is most apparent in examining the different histories of restitution-program jobs components is that there is no one best way to provide jobs for offenders. The jobs components viewed as "successful" in this monograph are those, like the projects described above, that are able to meet a common challenge: They can implement and expand a systematic, cost-effective combination of strategies to ensure that restitution clients who cannot find jobs are provided, at a minimum, with legitimate means of earning money to pay their victims and pay on time.

Programs that have achieved success by this standard have several common characteristics, including the ability to—

- "Sell" employers and the community on offender employment.
- Build on existing community resources and support.
- Develop a funding "package" adequate to provide ongoing support for the jobs component.
- Select work placements and projects that have value to employers, offenders, and the community.
- Establish and maintain high standards of youth supervision and positive employer relations.
- Influence the priorities of the local juvenile justice system toward an emphasis on restitution and work.

MARKETING EMPLOYMENT FOR YOUTH OFFENDERS

Extensive, almost continuous marketing has been one of the most visible common features of successful restitution projects. Good public relations, especially the ability to make a convincing case for the services being provided, has often been the first prerequisite to gaining funding and broader support. When programs successfully establish jobs components, sales efforts directed almost equally toward employers and the community at large—public officials, funding agencies, and civic organizations—are even more critical.*

Although the idea of restitution is easily sold in most communities, the notion of employing offenders is more difficult, especially when there are few local precedents and the program has had little time to establish a track record. In addition to the perceived risk of employing offenders, program managers must confront the objection that many "good kids" cannot get jobs, so why should offenders get the few jobs available? Citizens need to be convinced that delinquents are not being rewarded but, rather, are being held accountable for their crimes.

Restitution to victims has generally been the best vehicle for selling offender employment to the public. Successful program managers have emphasized that a limited number of jobs are required to make it possible for offenders to pay back victims and the community. The careful selection of job sites and work projects can also help demonstrate that offenders are not competing with other youths for scarce jobs. Some projects now solve the competition problem by making the jobs component available to nondelinquent youth as well as restitution referrals.

Managers of successful job assistance programs have noted that appeals to conservative or traditional values are often more effective than appeals to charity or humanitarianism in selling the community on the need for offender employment. The fiscal wisdom of investing in public work or jobs to enable payments to victims has generally been quite convincing, especially when their costs are contrasted with

* Selling a jobs component for a restitution program to the local juvenile justice system may be the initial task, but since it is the community that provides the jobs and, generally, the support for job assistance, outreach beyond the justice system is generally a big step in ensuring the support of justice professionals.

Some advocates have also gained support by arguing that offenders need opportunities to contribute to the community and their own support, and to learn to deal with job discipline. When program managers have been able to assess the labor needs of local businesses or the community need for public work efforts, the nature of the work to be performed is often a positive selling point. Many deliberately choose work projects that enhance the quality of life in a community or improve the business climate (e.g., revitalizing tourist areas, restoring industrial parks)—changing the focus of public appeals to the need for the work itself rather than the needs and problems of offenders.

While businessmen and other employers are also responsive to conservative, work ethic appeals and the need to remunerate victims, they also have special concerns and may sometimes need to be approached differently depending upon what kind of support is being requested. When one appeals to businessmen to reserve job slots for restitution cases, it is useful to understand employer frustrations in dealing with problem employees and to identify with their priorities (*see accompanying* "What Do Businessmen Want?").

Employers may eventually decide to support an offender employment effort for any of a variety of reasons, including positive community relations, corporate social responsibility, and access to a ready source of entry level labor. Program managers have identified three principles as keys to success in making the initial approach to businessmen:

- Establish credibility.
- Be brief and clear.
- Answer questions up front.

"What do businessmen want?"

The success of restitution program jobs efforts notwithstanding, previous attempts to sell business on the idea of youth employment have, according to some research, often been less effective than anticipated. In one experimental program for example, businessmen were provided with the incentive of full or partial wage subsidies for agreeing to hire disadvantaged youths. Surprisingly, only 18 percent of those employers offered a full subsidy agreed to hire one or more of the targeted youths, as did 5 percent of those offered a 50 percent subsidy (Ball et al. 1981: xvi). Clearly, persuading businessmen to employ youths is not an easy task, and most businessmen do not appear to be sold on economic factors alone.

According to Manuel Y'Barra, Director of Riverside County, California's "Jobs Against Crime" program, "To sell businessmen, youth workers must stop thinking like a grant agency." What is often missing in the attempts of juvenile justice professionals to win support of the business community is the ability "to think and operate in business terms," Y'Barra adds. He points to five factors as critical in winning the support of local business leaders for offender employment:

1. Ask them what they want;
2. Sell the toughest employers first to achieve maximum credibility;
3. Include the most respected business leaders in a "working advisory board" to help with both planning and outreach;
4. Identify with their concerns and tell them how the program benefits them.

In answer to the question, "What's in it for business?", Robert Zooleck of the Quincy, Massachusetts, Chamber of Commerce notes that disciplined entry level workers are not that easy for small businessmen to find. Restitution programs in his view provide motivated employees who "have to be there." What businesses do not want, according to Zooleck, is a "lot of paperwork" and "a lot of people calling and checking up"; he adds that restitution programs have been very good at minimizing these annoyances. What is fair to ask of businessmen is for them to provide a small number of job slots for offenders or to provide financial and other support for the program.

To their surprise what some managers find when they start to listen to the needs of employers is that the main concern is not always "cheap labor" or the "bottom line." Many businessmen want a chance to contribute to the well-being of the community and may be just as willing, for example, to contribute funding and assistance to public work projects, especially if they can be convinced that these projects enhance the business climate.

According to a strong business supporter of restitution programming, "Business people sell business people." For credibility reasons, there may be no substitute for using other respected business people to carry a program's message. In Toledo, Ohio, for example, a retired executive from one of the city's large corporations has provided invaluable volunteer services to the county restitution program. He has served as a fundraiser assigned to secure corporate and foundation support for subsidizing public service restitution jobs. At a recent conference in Hawaii, a letter from the Director of the Retail Merchants Association to Honolulu employers (accompanied by an invitation from the State chief justice) resulted in a turnout of 70 local corporate leaders to a breakfast meeting designed to seek their support for a new jobs component for the island's restitution program.

One such letter or contact from a respected employer can ensure more credibility and support for the program than could be achieved by dozens of calls or visits from a juvenile justice professional.

At this stage, clarity and brevity of the appeal are essential. Brevity is important because the schedules of most employers will simply not permit long blocks of time away from business no matter how interested they are in the program. In this regard breakfast meetings may offer the best forum to make the program's case to business leaders. While businessmen were invited to the entire 2-day program of the Honolulu conference mentioned above—and many sent staff to all sessions—the pitch to executives was limited to a half-hour breakfast presentation.

Hours of planning are often necessary to ensure that the message delivered in this short period of time is both precise and persuasive. Clarity comes from a thorough understanding of the program and an ability to highlight its alleged benefits. The presenter must also be unambiguous about exactly what businessmen are being asked to do. Providing endorsement, moral support, or donations are all legitimate requests, but they have very different implications than asking businessmen to hire restitution clients. (For ideas to

Questions businesses ask about Earn-It.

What is Earn-It?

EARN IT is a Court Program for young offenders.

It provides the hours of work necessary to help them earn their way back to the community by earning the money to pay for damages caused by their offences.

The work is sponsored by local businesses who have donated hours of work.

Who qualifies for Earn-It?

A youthful offender who wants a second chance.

They are offenders who have committed less serious offenses.

All offenders who participate in EARN IT are screened and approved in advance by a professional Court Screening Panel.

How will Earn-It participants be assigned to work in businesses?

By matching their skills to your needs.

First, employees will be interviewed to determine their employee needs. Each EARN IT participant, after careful screening, will meet with an EARN IT counselor to determine his or her job skills and suitability for various types of work.

EARN IT counselors will then match the participant with suitable work. The participant will then be referred to a particular employer for an initial employment interview. EARN IT participants will be accompanied by an EARN IT counselor for this initial interview.

Assuming the interview is satisfactory, the participant will be hired for a specific period of time.

Does a participating businessman have to accept an Earn-It referral for work?

No.

Every employer will have the absolute opportunity to reject any referral. Although all referrals will be carefully screened in advance all employers have the right of refusal.

What salaries should an employer pay Earn-It participants?

No more than the minimum wage is required.

Any additional wage paid will be up to the individual employer.

And for those employers willing to employ 13, 14 and 15 year olds, we may be able to reimburse you some of the costs.

Will your existing workingmen's compensation cover Earn-It participants?

Yes.

If you already have one or more employees, under Massachusetts law the EARN IT participant will also be automatically covered.

Will this boost workingmen's compensation costs for businessmen?

Less than a dollar.

Since rates are determined by your yearly payroll, your next year's Workingmen's Compensation premium won't go up more than a dollar for your work contribution.

What about your having to withhold taxes?

You need not.

Internal Revenue Service Form W 4E will be provided to each EARN IT participant to exempt him or her from Federal Withholding taxes.

What happens if an Earn-It participant fails to perform adequately on the job?

Fire him.

The employer should immediately contact the EARN IT Staff at 471-1650, and the participant will be withdrawn from the job immediately. No sponsor should ever feel obligated to keep an EARN IT participant who is unreliable or whose work is unsatisfactory.

What happens if the Earn-It participant does well on the job?

We won't know unless you tell us.

When the EARN IT participant completes his work, the Judge will want to know your evaluation of his performance and attitude on the job. A counselor will call you for your comments.

By the way, additional comments, criticisms, etc. about the program in general will be appreciated.

What happens after the hours donated are up?

You tell us.

If you believe the program has been successful and you have received a full day's work for a full day's pay, why not follow other EARN IT sponsors and sign up for your second youth participant as soon as you have time and work available.

What kinds of businesses are Earn-It sponsors?

All kinds.

Large department stores, small corner groceries, beauty salons, newspapers, gas stations, ... and many more, over 60 different kinds of businesses are currently providing 100 hours or more. They are located in all the communities served by the Court (Quincy, Braintree, Randolph, Holbrook, Cohasset, Milton, Weymouth) as well as Hingham and downtown Boston.

How To Ask for Money

First of all, make sure that people/organizations know that compared to other alternatives (jail and detention), and to other methods of juvenile rehabilitation, restitution and community service programs are a BARGAIN.

Emphasize the Human Interest Angles, tell them about the clients you serve, the addictive parents, the unemployable mother and father, and about the success stories.

Give Facts: # OF YOUTH BENEFITING
OF HOURS OF COMMUNITY SERVICE WORKED
OF VICTIMS PAID
$ RETURNED TO VICTIMS

Give Examples of Job Sites Used

Again, hit the Human Interest Angles
Stress: ACCOUNTABILITY
PUNISHMENT (depending on your audience)
RESPONSIBILITY
JOB SKILLS CLIENTS LEARN
COST SAVINGS

KEEP IN MIND THAT GETTING MONEY HAS TWO SIDES TO IT

"The people who want it,
and the people holding on to it"

Things you need to think about when you *want* money:

1. Specify Your Need
   Shortage of money to pay staff
   Capital improvements
   Equipment
   Special project

2. Examine Your Resources
   Do you run an efficient operation
   No wasteful expenses
   Are all other resources exhausted

3. Have You Examined the Actual or Anticipated Costs?
   No frills
   Prepared a budget or obtained estimates
   Made sure there are no generalized categories such as "other" or "also,"

4. Is Your Need Really Necessary?
   What will you do if you don't get what you want?
   What benefits will there be if need is not met?
   Who will benefit?
   How will they benefit?

Things business people want to know before they donate money:

Any individual, group, or organization will ask:

1. Has anyone heard of your program?
2. Does your program fit their interest/philosophy?
3. Is the kind of support you need something to which they give?
4. Have you justified the costs?
5. How much do you want?
6. How much do they have?
7. How much do they normally give?
8. Who will benefit if they give?
9. What will be the impact?
10. Are others giving to the same need or project? Who?
11. Will you need their help again?

(from training materials prepared by Gary Lenhart of the Ohio Restitution Delegation)

help organize an appeal for financial support, see the handout developed by the Director of the Toledo, Ohio, Juvenile Restitution Program, entitled "How to Ask for Money.")

Concerning requests for job slots, many appeals to otherwise supportive businessmen appear to have been thwarted by worries about liability and other technical issues that should have been addressed in a systematic way. In conference settings, resource people such as attorneys or State employment officials can often answer any questions of hesitant employers. In the long run, a fact sheet or brochure is most effective. The Earn-It program, for example, distributed to Chamber of Commerce members brochures that answered a range of typical questions employers ask about liability, termination, and insurance (see "Questions Businesses Ask About Earn-It").

Whether approaching business leaders, funding agencies, or civic groups, restitution project directors are taking an increasingly entrepreneurial stance in their efforts to sell the idea of offender employment. Offering the community what is essentially a "product"—for example, a strong track record of youth who have worked at paid and unpaid public work projects, or disciplined, motivated youths prepared for entry level positions in local businesses—program managers have been able to present both the offenders and the justice system in a new positive light.

In the words of one of the founders of the innovative Central Oregon projects, "The community is presented with an image of offenders and the justice system as 'assets' rather than 'liabilities.' " Rather than appeal to business and the community on the basis of social work values (e.g., "Please help our kids"), program professionals now frequently ask business and community organizations to work with them in a partnership for community improvement. In the process, offenders are held accountable, victims and the community are repaid, and work values and job experience are gained.

BUILDING AND USING COMMUNITY SUPPORT

Juvenile courts and restitution projects have typically been unable or unwilling to provide full support for comprehensive employment assistance. These efforts have survived and expanded based largely on their ability to fit into a local environment and to build on existing community resources. Effective collaboration with community organizations takes time and is often contingent on the program's establishing some reputation, or "track record."

Toward this end, some programs have executed well-planned, highly visible work projects. Often of short duration—a weekend, for example—and performed without pay, these efforts may then become part of what is essentially a "portfolio" of accomplishments and credibility. The typical pattern has been to start small, do a superior job, and capitalize on the public relations value of the effort.

In several small towns in Oregon, juvenile courts, hoping to gain public support for restitution and employment projects, assigned weekend work crews to community beautification projects such as clearing brush piles and other eyesores near the town limits and refurbishing welcoming signs. Although the Quincy, Massachusetts, "Earn-It" program actually began with commitments from a few employers to hire its referrals, a key factor in its continued growth and support has been the staff's ability to select work projects with clear public benefit, high visibility, and potential media interest. Favorable press coverage of such projects as restoration of an island park by a project crew have contributed greatly to the program's positive community image.

'Lawbreakers' Reclaim Island Jungle

Youths Reclaim Land And Themselves

Once credibility and competence are established through such efforts, many projects discover other community

"Working with unions"

In any discussion of youth employment, competition with organized labor is inevitably raised as a concern. Yet unions have seldom provided significant obstacles to restitution and related youth work programs, and have in many cases been allies.

Like business organizations or any other interest groups, unions may react negatively if programs give the appearance of attempting to "work around them" or ignore their legitimate concerns such as possible threats to members' jobs.

One key to good relations with unions is to simply build them into the job development and decisionmaking process up front, to routinely ask approval of union leaders on work projects, and to agree to avoid any projects that union leaders find objectionable. The director of the San Francisco Conservation Corps reports, for example, that of hundreds of paid work projects presented to local labor leaders for approval, only one was questioned. In Waterloo, Iowa, the program director reports that labor seldom objects to proposed work projects and has "been very supportive in a number of ways." In the Toledo, Ohio, restitution program, the staff has avoided confrontations by steering clear of typically unionized work.

Other programs have demonstrated their cooperation with labor by placing key union officials on boards and advisory committees. In Riverside, California, the director has even used union members in job preparation activities and has negotiated agreements with building tradesmen to accept program youth into apprenticeship programs. In return, according to the union men, they receive positive public relations as well as potential new recruits and a chance to educate young people in union values. From labor's perspective, youth employment efforts will encounter few problems if unionists are involved in decision processes and the work pays prevailing wages.

agencies that are anxious to come on board. They are able to rely increasingly on established community organizations to help them develop more comprehensive approaches.

The South Shore Chamber of Commerce in Quincy, Massachusetts, for example, became the key sponsor and coordinator of Earn-It's job bank component; labor unions have been important allies in other areas (*see* "Working With Unions"). Projects in Eastern Oregon and Idaho have received major support from local Private Industry Councils, as well as from such "character building" organizations as Boys Clubs and 4–H. Such organizations have been especially useful in supporting job assistance activities and have been called on for lobbying, education and outreach, and cosponsoring training events.

Sample Advisory Board

1. A businessperson—to help with contacts in the business community and procurement of potential employees.

2. A chamber of commerce member—to make other chamber members aware of the program and to solicit them as prospective employers.

3. A media representative—to publicize and help promote the program to the community and assist in projecting a positive image.

4. An attorney—to research child labor laws and advise probation and board members of any legalities concerning the program.

5. A public accountant—to research unemployment compensation, insurance laws, tax exceptions, workmen's compensation, etc.

6. A private citizen—to promote and explain the program in the private sector and serve as a liaison between victims, the court, and the probation department when necessary.

7. A juvenile probation officer—to provide structure, control, and accountability for the juvenile offenders receiving employment and also serve as a liaison to the court, police, and community.

(from the Erie Earn-It Program)

Community-based organizations, as well as businesses and civic groups, have sometimes taken on specific program functions such as job preparation and crew supervision, and have often provided a steady source of volunteers. In some areas restitution programs are exploring the possibility of partnerships and referral agreements with comprehensive, established youth work programs such as Youth Conservation Corps. Restitution jobs components have received substantial mileage from working boards whose members are selected as much for their community clout as for specific credentials (*see* Erie County example). In the process of developing and nurturing these community networks, restitution job assistance efforts have moved quickly beyond their own normally isolated domain of juvenile justice.

Traditional juvenile courts have tended to abdicate employment and related issues to schools or other agencies. Some job-oriented restitution programs, however, assume ownership of the employment problems of their juvenile justice clients. In juvenile probation departments that focus on restitution and employment, chief probation officers, judges, and program managers have shown aggressive leadership in mobilizing community resources to deal with youthful offenders.

The result has been a more systematic and coordinated effort at job assistance in which juvenile justice and restitution professionals have set the agenda and worked with community agencies willing to support their goals as partners rather than simply sources of referral. While employment components vary in the extent to which job assistance functions are performed in-house rather than by community agencies, what is common to all successful efforts is an increasing tendency for restitution program staff to set the terms of the overall job experience. They also retain control over the big decisions affecting the employment of their clients.

FUNDING

Although some restitution programs got initial Federal funding for Jobs Developer or Job Training positions, for work subsidies, or both, many have kept jobs components alive in the past few years with little or no Federal support. Other programs never had access to Federal funds but have implemented viable systematic employment schemes in cooperation with local business or other agencies with local and State sources of support.

Relying heavily on community and employer resources, many jobs components have operated on relatively small budgets, but have generally managed to piece together packages of support adequate to meet their requirements. Tapping into new sources of support has been largely a matter of juvenile justice professionals becoming more assertive and, in the words of the director of the Dallas County Juvenile Restitution Program, "claiming available services and resources for our kids."

Because many projects became involved in job assistance slowly as their clients' needs became apparent, few began with a clear idea of how much funding would be necessary to support these efforts or where it would come from. Today, however, several patterns are apparent, both in the sources of funding and in the amount required to begin and maintain an employment component.

Sources

Skill in attracting a wide variety of funding has characterized restitution programs generally. Jobs components have been supported through a patchwork of local, State, and Federal grants; private business and foundation donations; and a range of in-kind support. At any given time, a well-funded program may draw funds from State subsidy moneys that pay youth for work in nonprofit agencies, a foundation grant or county funds for staffing, or Federal funds for job training.

Such a program might also use private-sector job slots and rely on a variety of in-kind resources such as a donated or borrowed van, free job counseling, or video materials.

Although Federal dollars for program support have been far more scarce the past few years, potential Federal sources of funding for job assistance include the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Bureau of Justice Assistance (BJA) block grant programs as well as programs in the Department of Labor.

A relatively large and comprehensive source of support designed especially for youth employment programming is the Federal Job Training Partnership Act (JTPA). As with block grant moneys and other discretionary funds, gaining access to JTPA moneys for restitution program employment will require careful attention to the priorities of the Act or the agencies designated by the Governor's office to administer these funds. A number of restitution programs have used JTPA to fund summer projects for eligible youth; others are now finding it possible to expand these programs to provide part-time work for restitution clients during the school year. (For more information, see "Tapping JTPA Funds".)

Interagency contracts such as those described earlier in the Erie County, Pennsylvania, program are a relatively new but increasingly popular means of supporting youth employment. Depending on the nature of the contract with city or county agencies, projects use them to cover youth's wages, underwrite staff support, or pay for tools and overhead expenses. Similar, but generally easier to negotiate, are small fee arrangements with local service clubs. Like interorganizational contracts, agreements with civic groups to pay for some beautification or public improvement project give restitution managers a great deal of choice over the type of work clients perform as well as their work hours and supervision.

Becoming a part of the county budget takes time and persuasion, but a number of successful restitution projects get regular funding from their local commissioners. A jobs component could presumably be a part of this appropriation.

Other non-Federal sources of support for jobs components include fees for service, fines, foundation grants, and corporate donations. Subsidy funds for employment stipends have most often come through legislation on a statewide or regional basis. This has sometimes required broad-based regional coalitions of restitution programs, victims' groups,

"Tapping JTPA funds"

Replacing the old Comprehensive Employment and Training Act (CETA) program, the Job Training Partnership Act (JTPA) provides funds for job training and education for the economically disadvantaged. While many restitution clients qualify under these criteria, the Act also provides that 10 percent of funds be set aside for youth with other barriers to conventional employment. This includes delinquent offenders and dropouts. A wide variety of activities receive JTPA funds, including purchasing job training curriculums, funding work crews, paying wages and stipends, on-the-job training, and placement and limited support services.

JTPA moneys are controlled by the Governors of each State whose offices allocate funds to "service delivery areas," including cities, counties, and other geographical regions. "Private industry councils" (PIC's) or their equivalent in each of these regions oversee disbursement of funds or, in cases where the whole State is a service area, the Governor's Job Training Coordinator is responsible. Although a large proportion of JTPA moneys are routinely awarded to schools and established community organizations that train disadvantaged youth, several managers of restitution programs have secured this funding for juvenile justice-initiated training and work experience projects.

The key to accessing these funds is persuading administrators that juvenile justice projects will produce outcomes consistent with the goals of JTPA. Important JTPA goals for youth are the completion of general equivalency diplomas (GED's) and job placement. The lobbying process may be enhanced by first getting local support and endorsements from county officials and from business and civic groups. Some have used contacts to lobby the Governor's office directly.

In Kansas, for example, the Director of Juvenile Services for the State was able to persuade PIC administrators to provide $90,000 in JTPA funds for subsidizing public sector jobs for juveniles with restitution orders who were committed to State facilities. His appeal was the promise of positive results: a large number of completed GED's and highly structured and supervised job training for youth who usually meet two or more of the program's eligibility criteria.

In Eastern Oregon, PIC administrators were already becoming convinced that JTPA funds were not being wisely spent to fund job counseling programs. They were persuaded by restitution program managers to fund juvenile justice work crews as a means of providing on-the-job training better suited to increasing job retention in private sector placements. In Riverside, California, JTPA administrators were persuaded to award $36,000 to support the salary of a probation officer to do outreach to the business community to initiate the Jobs Against Crime project.

and other agencies to carry out lobbying and educational efforts.

While no State offers comprehensive funding for offender employment, several now provide resource programs that can be used to supplement existing efforts for hard-to-employ youth who owe restitution. Iowa, Ohio, and Utah have legislation designating funds to restitution programs to cover stipends for youth in public sector jobs. Several other States are considering such legislation. Oklahoma provides relatively large amounts of subsidy funding on a regional basis.

In other States, juvenile probation departments and restitution projects have formed successful coalitions entering into contracts with State agencies such as highway departments. Other potential statewide funding mechanisms for restitution job support include entertainment taxes on such items as video games and soda pop, bottle bills, and the use of victim compensation funds.

While lobbying for funds at this level can be potentially frustrating and time consuming, there are a number of possible payoffs from coalition and statewide strategies.

They *could* ensure a relatively reliable and ongoing source of State support. Even if restitution jobs do not become a line item in the State budget, job assistance may thus be identified as a priority at the State level, and legislators may become more sensitized to the issues. More important, local managers may become less reliant on the whims of county funding and other scarce local resources.

Although statewide or regional funding does not restrict program growth or enhancement arising from local sources, initial support for job assistance may become less dependent on the charisma and connections of local judges or project directors.

How much is needed?

Before developing a strategy, most successful programs go through a process of experiment to determine which approaches will be most feasible in their own communities. This is followed by an outline of the resources required to begin or sustain a jobs component with those characteristics. Resources needed for jobs components hinge primarily on two considerations: the number of job slots required and the nature of staffing needed to initiate and maintain the component.

Staffing for job assistance has sometimes been handled as an extension of the project director's role supplemented by volunteers or internal reallocation of caseworker responsibilities. The explicit designation of staff time to these tasks, however, has been a common element of successful jobs components in the initial stages of development. Substantial outreach work tends to be required to ensure the participation of employers, to develop community support, or design work projects.

The assignment of staff time need not require a large allocation of funds. A $22,000 grant from the State juvenile justice commission in Pennsylvania supported the staff time for a probation officer to negotiate contracts with public agencies and make other arrangements for the Erie County jobs component. In rural Lufkin, Texas, some $21,000 in Justice Assistance block grant funds bought some of the time of a probation officer designated as Restitution Coordinator to set up a program that included a small jobs component. An in-kind staff loan from the State of Oregon to three rural counties provided a State parole officer to set up Youth Conservation Corps in those jurisdictions.

The amount of funds required for adequate staffing and resources depends upon the specific strategy or strategies adopted as well as the size and complexity of the local juvenile justice system. General project experience suggests that a motivated individual working full-time on job assistance tasks for 6 months to a year can lay much of the necessary groundwork for a sophisticated employment component. Subsequently, less staff time might be needed to maintain the same level of effort as community resources begin to take up the slack. Based on a successful demonstration of the component, the juvenile court may be persuaded to reallocate existing juvenile court personnel to share job assistance responsibilities.

To estimate the number of job slots needed, initial assessments are often made on the basis of the proportion of the total ordered restitution that is being collected and the proportion of unsuccessful cases that do not have jobs.

Ruth Frush, Director of the Waterloo, Iowa, program, indicates that one-third of the total amount paid in restitution last year came from subsidies while 20 percent of program referrals required placement in subsidized jobs. This figure may represent a high or low estimate depending on the local employment situation and nature of a program's referrals. Gary Lenhart of Toledo, Ohio, estimates that about two-thirds of referrals to the court's restitution program require a project-sponsored job.

Closely related to program funding is the issue of resources management. Programs that have survived on limited budgets often make efficient use of job resources by reserving funded slots for the most hard-to-place offenders. Most insist that clients make attempts to find jobs on their own. Many also screen clients to assess which offenders are likely to find their own employment, and which ones need the intensive supervision of a project-sponsored crew.

Effective resource management has ultimately meant at least some reallocation of internal staff. Even assuming the availability of outside funding for a jobs component, effective job assistance will require departmental commitment to structure restitution and work as part of an accountability/responsibility emphasis. These priorities can alter the traditional probation and correctional routine, emphasize new activities, and suggest a redefinition of agency mission.

ENHANCING THE VALUE OF WORK

Placements and projects

When Ed Darnell learned of chronic dissatisfaction with the janitorial services contractor used at the courthouse in Erie County, Pennsylvania, he saw an opening for a work crew to earn money for restitution. "We met a need," Darnell says, noting that his crews are now in demand by other county agencies seeking to lower costs and improve their quality of services.

In central Oregon, cutbacks in park maintenance budgets had meant that some of the country's most attractive parks were consistently dirty and rundown, to the point where the tourist bureau complained that the number of visitors to the State had declined significantly. A coalition of regional court directors decided that this gap in park services created an attractive opening for the employment of youth.

In Minnesota a State law provides funds to cities for recycling efforts, but in one small town in Dakota County, no one was available to do the work. The director of the Dakota County juvenile restitution program is arranging a contract with the agency administering these funds. A youth business in which young offenders owing restitution could market and sell recycled products is the hoped-for result. Profits from sales will go to victims, and offenders will get work-hour credits toward the amount of restitution owed.

While getting restitution paid to victims remains the primary motivation behind most jobs components, managers are increasingly aware of dimensions of employment other than its potential as a source of income. Practical considerations include ease of implementation, visibility and public relations value, safety, cost, and funding potential. Moreover, when managers are able to choose the kinds of work they consider most desirable for offenders, two concerns have been primary. As reflected in the examples above, the first and most important consideration has been value of the work to employers and the community. The second has been value to the youth.

To illustrate the tension between these concerns, youth employment specialists have used the term "achievement model" to describe an approach to choosing work that focuses primarily on community need and the term "developmental model" to refer to a priority approach to the needs of young people to gain marketable jobs skills (Michel 1980: 3–4).

While program credibility and public acceptance may have dictated that restitution jobs components err on the side of the achievement model, managers of restitution projects have been sensitive to both issues. Fortunately, they have not often found the perspectives in conflict. An increasing number agree that frequently the value of a work project to the community is also the major criterion in determining whether it will have meaning for young offenders. Conversely, no matter how sensitive the supervision is to client needs, "make work" offers few benefits to participants.

Value to the community

Since the nature and visibility of the tasks performed by youth are often a key selling point to the community and to funding agencies, program managers try to select work projects or placements that meet practical public or employer needs. Increasingly, when jobs in private businesses have been scarce or inappropriate for a restitution client's first job, work projects have been sponsored by social services, public works, or by agencies with environmental or conservation responsibilities. In virtually all communities, much needed work of this kind never gets done, so finding work that is viewed as useful and valuable is not difficult.

Examples of representative projects in rural areas include mosquito abatement, stream or river bank cleanup, building ski shelters, restoring county fairgrounds, and building or painting recreational access signs. In cities, building and repairing park play structures, putting in community gardens, restoring and landscaping senior citizen centers, and weatherization projects are increasingly common. Service-oriented tasks can include working with the retarded, the very young in day-care activities, or the elderly in shopping assistance and nutritional programs (*see, for example*, Blake 1986).

Work projects that are needed and valued in one community. may be different from those considered useful in another. Thus, the selection of activities is best determined by local groups. Some managers take additional steps to ensure that work projects will be well received by soliciting ideas from civic leaders for projects that would improve the local quality of life in the community. Others ask business groups such as tourism councils to suggest projects that would promote economic development or establish their own economic advisory committees composed of local business leaders.

This theme of improving the business climate has opened doors to public/private partnerships and to important support from business organizations. Projects have ranged from work as straightforward as cleaning up graffiti in business districts to landscaping and other improvements in industrial parks. Restoring riverfront areas has resulted in small economic booms in some cities, by making abandoned spaces attractive for recreational purposes (and thus to small businesses such as restaurants and other establishments). One possible spinoff suggested by a Honolulu businessman would be "transition team jobs" in which program youth would perform adjunct tasks for a private company; under supervision of the project, youth would be paid by the company to perform work that typically is not being done (e.g., cleaning out trucks for freight companies).

PGE Portland General Electric Company

November 12, 1986

Mr. Ron Jenkins, Project Director
Juvenile Justice Alliance
c/o Boys & Girls Aid Society of Oregon
2301 N.W. Glisan Street
Portland, OR 97210

Dear ~~Mr.~~ Ron Jenkins:

This will confirm an "intent of partnership" with the Juvenile Justice Alliance. This does not constitute a commitment, but it does constitute the potential partnership in the following concepts:

Work for Restitution
Organize work projects for "at risk" youth to perform contract maintenance work in PGE parks and campgrounds. Revenue from the project would be used to pay restitution.

PGE Community Teamworks Volunteers
Match willing PGE volunteers with youth and projects identified under your Community Service Program. The volunteers would supervise the youth for community restitution projects.

As I have mentioned to you, I like what your organization is doing. I'm sure we will find there are some opportunities to team our resources with your concerns.

Sincerely,

Ruthann Mogen

Ruthann Mogen, Manager
Community Relations

Value to youth

Since few young persons in their first jobs enter anything resembling a career track, the term "real jobs" (meaning in the private sector) is often a misleading one for adolescents. For relatively short-term restitution placements especially, the question whether these jobs "might lead to a career" is moot for most program managers. A more important emphasis has been that the placement offer opportunities for a positive learning experience to young people who may never have worked before. Thus, many managers look for projects or placements that teach good employment habits and a basic appreciation for work.

Some have also grown sensitive to recent cautions about possible negative effects of certain kinds of employment (see the accompanying story, "The context of youth employment: avoiding the negatives"). They are concerned that the work experience not foster negative reactions to legitimate employment.

What factors create a positive employment experience for young people and how are these to be balanced against the need for projects with value to employers and the community?

In an era where self-actualizing employment is rare for many conventional adults and any type of job is considered desirable for offenders, the increased selectivity of managers in choosing work placements does not mean that offenders are assigned to dream jobs. In fact, restitution work projects may involve strenuous, often tedious physical labor. In such

"The context of youth employment: avoiding the negatives"

A relatively recent mass entry of high school youth into the labor market, primarily in fast-food and related industries, has led to a renewed debate about employment for adolescents. Much of the recent commentary and research emphasizes negative features of youth employment in the kind of businesses that seem increasingly dependent on adolescents to work at entry-level jobs (Greenberger and Steinberg 1986).

While there is nothing inherently wrong with these jobs, recent research suggests that such employment may increase alcohol and marijuana use, have negative effects on grades, promote poor consumer and spending habits, and lead to delinquency (Greenberger and Steinberg 1986).

Proponents of youth employment argue that, especially for delinquents and dropouts, some work experience is preferable to none at all. Most youth employment professionals, however, acknowledge the validity of certain concerns and criticisms about youth jobs. Obviously, not all work is good for adolescents, especially if it interferes with education or contributes to deviant behavior.

Critics have valid concerns about the nature and meaning of employment for young workers today compared with those in previous generations. In the past, jobs filled by young people were much like those held by adults; youth work had an important economic meaning for families, offered a chance to learn from adults, and provided a sense of responsibility and socialization to adult life. Whether working as helpers for craftspeople or for and women, or as assistants to experienced cooks and waiters, young people in jobs 50 years ago tended to work alongside adults and were able to learn job skills and assimilate work values.

In today's fast-food, retail, and janitorial services occupations where young workers are now concentrated, segregation from adults is the rule. In this environment many of the benefits thought to result from the adolescent work experience are absent (see Waldinger and Bailey 1985).

Possible negative effects of adolescent work can be avoided if educators and other youth professionals take a more proactive role in job design, placement, and supervision. Where possible, youth employment programs should try to avoid youth-segregated work activities as well as those placements and projects that—

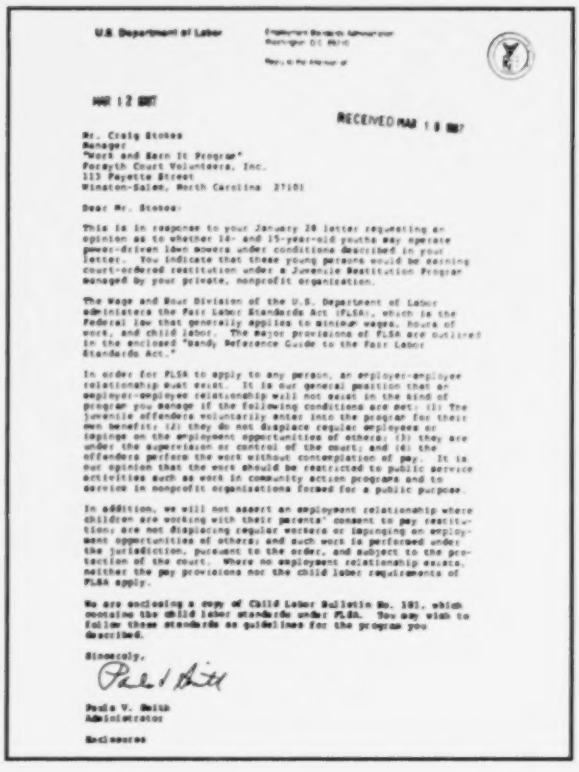
- Have no relationship to education or future employment and provide little opportunity for learning new skills and values.
- Involve only routine, repetitive tasks with no autonomy or decisionmaking opportunities.
- Involve more than 20 hours of time per week during the school year.
- Have little intrinsic meaning other than as a means to earn money for discretionary spending.

cases the value of the activity to the community is even more important in providing meaning and dignity to the work. In addition, the supervisor's experience and sensitivity in communicating the broader environmental or quality of life implications to young people can make the difference between hanging sheetrock and historical preservation; between shoveling gravel and restoring a trout stream; between clearing brush and building a firebreak.

Overall, national programs and research on youth employment (see Zimmerman 1980: 11–12) highlight other characteristics of desirable work projects and job placements that have also been borne out in the restitution experience. The most successful tend to be those that—

• Do not compete with organized labor or the livelihoods of others.

• Have a clear beginning and end, resulting in a tangible finished product.



U.S. Department of Labor

MAR 12 1987

RECEIVED MAR 19 1987

Mr. Craig Stokes
Manager
"Work and Earn It Program"
Forsyth Court Volunteers, Inc.
113 Fayette Street
Winston-Salem, North Carolina 27101

Dear Mr. Stokes:

This is in response to your January 28 letter requesting an opinion as to whether 14- and 15-year-old youths may operate power-driven lawn mowers under conditions described in your letter. You indicate that these young persons would be paying court-ordered restitution under a Juvenile Restitution Program managed by your private, nonprofit organization.

The Wage and Hour Division of the U.S. Department of Labor administers the Fair Labor Standards Act (FLSA), which is the Federal law that generally applies to minimum wages, hours of work, and child labor. The major provisions of FLSA are outlined in the enclosed "Handy Reference Guide to the Fair Labor Standards Act."

In order for FLSA to apply to any person, an employer-employee relationship must exist. It is our general position that an employer-employee relationship will not exist in the kind of program you manage if the following conditions are met: (1) The juvenile offenders voluntarily enter into the program for their own benefit; (2) they do not displace regular employees or impinge on the employment opportunities of others; (3) they are under the supervision or control of the court; and (4) the offenders perform the work without contemplation of pay. It is our opinion that the work should be restricted to public service activities such as work in community action programs and to service in nonprofit organizations formed for a public purpose.

In addition, we will not assert an employment relationship where children are working with their parents' consent to pay restitution; are not displacing regular workers or impinging on employment opportunities of others; and such work is performed under the jurisdiction, pursuant to the order, and subject to the protection of the court. Where no employment relationship exists, neither the pay provisions nor the child labor requirements of FLSA apply.

We are enclosing a copy of Child Labor Bulletin No. 101, which contains the child labor standards under FLSA. You may wish to follow these standards as guidelines for the program you described.

Sincerely,

Paul V. Smith
Administrator

Enclosures

"Solutions for the very young"

Although few programs have had problems with the basic restrictions of child labor laws—prohibitions on dangerous equipment, limitations on work hours to prevent interference with education, requirements for working papers—age has been a persistent concern in trying to negotiate traditional work placements in programs with large numbers of younger offenders. In some areas employers have been reluctant to risk hiring anyone under 16 even when working papers are in order. For youth under 14, employment in most job categories is prohibited.

Variations in the interpretation and enforcement of child labor laws generally mean that programs confront different problems over different job categories for different age groups. Thus, no solution can be suitable for all situations in all States. But while some managers simply place younger offenders in unpaid community service slots, others have come up with a variety of creative solutions to the challenges posed by child labor restrictions:

• Declaring youth "wards of the court" and placing them in project-sponsored crews has been an acceptable response in some States—especially for youth 16 and above, and in some cases for those 14 and older. The incorporation of the jobs component as an autonomous entity has also been helpful in assisting with insurance coverage.

• When payment is the key factor in determining if an employer-employee relationship exists, some programs have presented checks as "gifts" at or near the end of participation in a work program.

• For youth under 14 who cannot acquire working papers, some projects are developing businesses out of jobs that do not require papers—lawn mowing, car washing, or caddying. (In Dallas County, Texas, restitution program director John Burns has found Junior Achievement and local business organizations helpful in providing information and support.)

Ultimately the Federal Government defers compliance and standards issues to the States, and interpretation and enforcement seem to vary widely. However, a recent ruling by the U.S. Department of Labor in response to requests from North Carolina restitution programs for clarification of restrictions on work for offenders 14 and under seems to signal a more lenient interpretation of age restrictions for restitution-related work.

• Require significant interaction between young workers and adult supervisors.

• Teach a variety of employment skills and values in relation to a real work experience.

• Minimize overly complex procedures but require youth to perform a diversity of tasks.

Also desirable are work projects that link with education (those that encourage reintegration into school programs or provide academic credit for participation). Research and experience with youth employment also show an advantage to projects that:

• Build in some time for reflection and discussion of the why of the work.

• Teach positive civic values (e.g., conservation, caring for the elderly).

• Avoid segregation of disadvantaged or "bad kids."

• Take advantage of the effects of positive peer culture by mixing delinquent and straight youth whenever possible.

• Allow for some youth participation in decisionmaking.

SUPERVISION AND EMPLOYER RELATIONS

Among the wide variety of employment components in restitution programs, two themes have characterized approaches to supervision: clear and strictly enforced rules of conduct and an insistence on quality work. The quality of work appears as an important guarantee to employers and agencies who use project placements or project labor. Especially in supervised crews where the project has a direct role in maintaining standards of discipline, this theme is closely related to the emphasis on strict enforcement.

In most restitution work components, both positive and negative sanctions are employed to enforce work standards as well as to ensure the prompt payment of restitution. On the negative side, since many offenders are assigned to projects as an alternative to more serious sanctions, failure to follow rules and perform adequately may ultimately mean detention. Practically, many have adopted sequential stages of punitive response or "graduated sanctions" for inadequate performance. That is, prior to responding with the most serious sanction, program managers try to "get the offender's attention" by such responses as adding community service hours, restricting earnings from the job, or curfews.

On the positive side, most of the time offenders are allowed to keep some proportion of their earnings as an incentive for good work performance and prompt payment of restitution. This practice, as well as the amount of earnings offenders are permitted to keep, varies with program philosophy and resources. Some programs also stagger the use of wage incentives, requiring a week of successful job performance, for example, before any earnings can be kept—or even withholding any payment to the wage earner until the victim is completely paid back.

In either case, most would agree that allowing offenders to keep some of their earnings is a strong motivating factor for good work performance and illustrates the value attached to the work itself. From a practical standpoint, as some project directors point out, earnings may be needed to make working possible for some youth: some need earnings to purchase gloves or special clothing for outdoor work; others need money for transportation, lunches, etc.

In crews supervised by project staff, rules such as program termination for three late arrivals or two no-shows regardless of excuses are not uncommon. Many restitution projects recognize the importance of flexibility in accommodating youth who may never have been confronted with the discipline of work. But an increasing number argue that it is better to live with a relatively high attrition rate than to sacrifice the integrity of the work program for a few unmotivated youth. Some projects compromise by allowing offenders a second chance that follows a cooling-off period of a week or more, often accompanied by some punitive sanction.

An emphasis on the quality of work, not always a part of youth employment efforts in the past, makes for high performance expectations. Supervisors are expected to take the job seriously and youth are expected to work hard and do it correctly, even if additional time is required. Where contracts with other organizations are involved, project reputation and future work opportunities are often dependent on performance; thus shoddy work is not viewed as acceptable. Underlying these high performance standards is a common belief that offenders are capable of quality work.

Project-supervised crews

Where the project is responsible for supervision, the quality of management and supervision at the job site is the single most important factor in determining the success of employment experience. According to evaluations of a number of other youth work projects, the primary characteristics of a good supervisor are "basic competence" in understanding the work to be done, an ability to organize a work site, and sensitivity to the needs of young people. (For a summary of research on this topic, see Zimmerman 1980.)

The kinds of individuals hired as work-crew supervisors vary substantially between restitution projects. While some employ only full-time, experienced youth workers, others use part-time college students or teachers or make extensive use of volunteers. Most prefer to maintain as much control and consistency as possible, either by using regular program staff as supervisors or by careful training of part-time and

volunteer supervisors. In some situations, managers have avoided selecting supervisors with social work or counseling orientations and have deliberately sought out crew leaders with special skills such as carpentry, forestry, or contracting. In most cases, however, specific skills are considered less important than an ability to make decisions and plan projects—while allowing youth maximum opportunity to participate in all stages of the process—and a willingness to work hard at often physically demanding jobs. On many crews supervisors labor alongside youth, often setting the work pace. Other desirable characteristics of crew supervisors mentioned by restitution project directors include maturity, self-assuredness, and willingness to learn.

The preferred ratio of supervisors to young workers also varies between restitution projects. Prior national studies suggest that about one to six is optimal. In most restitution work crews, a ratio of one to ten is relatively common and is usually sufficient to permit careful monitoring and significant interaction.

Outside employers

When businessmen or others agree to hire program youth, the most common theme has been, "the employer is boss." In restitution programs, employers are given the discretion to terminate employees if job performance is unacceptable, generally with no questions asked.

Some managers feel that consistency of supervision is aided by preplacement discussions with employers prior to the referral of offenders (*see* Dane County Employer's Handout). Others argue that in a credible work and restitution program, agreeing to hire an offender should be enough to ask of employers. Increasingly, the perceived need for intensive supervision is one reason for choosing to place an offender in a project-supervised crew. Once referred to an employer outside the project, most program managers insist that an offender be treated like any other employee.

Good programs take special pains to ensure solid relationships with employers. Given that most private-sector employment components begin with only a few carefully nurtured placements, the positive reactions of a few employers are essential to spread the word to others

Fortunately, most employers have reacted positively to restitution job placement programs. Many report that restitution referrals are carefully screened and often better trained and more highly motivated than the average entry level employee. Equally important in the view of several businessmen has been the wise tendency of restitution programs

Suggestions for interviewing job placements

Although personal styles and job sites vary considerably, the restitution program staff considers the following seven points to be a necessary part of a good job interview:

1. Present a brief overview of your organization and responsibilities.

2. Clearly explain the tasks that will be performed by the youth.

3. Find out how many hours the youth will be available to work and discuss a potential work schedule.

4. The program counselor will let you know if it is necessary to discuss why the youth is in the program. If this conversation is necessary, be open and frank about concerns regarding the placement.

5. Request information from the youth regarding his/her attitudes about working. Ask about prior work experience and ask: Why do you want to work here?

6. State your limits clearly. For example:

   — Let the youth know what behaviors would lead to his/her being fired.

   — Let the youth know what behaviors would lead to a good job evaluation.

7. Should you decide to accept the placement, let the youth know that you are happy to have him/her working with you.

(from Dane County, Wisconsin, Juvenile Restitution Program)

to take responsibility for paperwork or to keep these requirements to a minimum. Staff people listen to employers, address their concerns, and accommodate their placement needs where possible. Yet they have minimized the number of people "checking up" on places of business. Program managers have also become adept at showing gratitude—through awards banquets, positive publicity, and other recognition—to employers who hire restitution cases.

Screening considerations

Who should be eligible for work programs? The type of offenders considered appropriate for job placements depends on the project's relationship to the court, its philosophy and mission, as well as that of the court, and the variety of work options available (e.g., project-sponsored crews, private sector jobs, etc.). Some exclude serious or chronic offenders. Some take whatever cases are referred by the court. Generally, however, the restitution experience suggests that most offenders are capable of participation in work programs. With the exception of youth temporarily disabled by drug or alcohol problems, most managers report few factors that prohibit offenders from immediate assignment to some kind of job.

Many of the better programs with jobs components, begun in OJJDP's national juvenile restitution initiative as alternatives to incarceration, have established a good track record in dealing with serious offenders. Evaluation data from 85 restitution projects across the Nation suggested that serious or chronic offenders were generally as likely to complete restitution as those with less serious records, and did not present significantly greater risks to the community. Where work performance was concerned, many project directors reported that these youth did as well as or better than less serious offenders. Additional national experience in offender employment studies has tended to confirm the positive record of serious offenders and other high risk populations in work-based programs. Writing in the Vice President's Task Force Report about the performance of the most difficult clients in supported work programs (50 percent of whom had prior contacts with the criminal justice system and 30 percent of whom were on probation at the time), Mangum and Walsh (1978: 69) note:

> Large numbers of youth who have been viewed traditionally as unemployable or unwilling to work are, in fact, anxious to work and capable of working . . . Individuals who have been written off as unemployable can work productively and customers are prepared to pay for the goods and services they produce. This finding has policy implications beyond the fact that such individuals have untapped potential. It means that supported work and its progeny might reduce the net public subsidy for government funded training and employment programs by charging a reasonable amount for the goods and services produced by participants while in the program.

Since the national juvenile restitution initiative, a number of projects have started intensive supervision components that combine work and restitution as a means of "incapacitating" serious offenders in the community. For those that target serious or chronic offenders, more elaborate screening procedures may be useful. For example, some projects that

Liability issues

Some risk is involved in virtually any activity involving the supervision of youth. Even in their most routine work with offenders, probation officers are not immune to law suits. While employment may introduce new risks, the common experience of work programs generally suggests that many of the worries about liability—which have kept some courts from even considering such programming—have been exaggerated. The best evidence for this conclusion has been the absence of major incidents or lawsuits in virtually every State, despite several years of program operation.

For those situations in which liability and accident coverage seem to be a necessary precaution, several insurance companies have recently demonstrated their willingness to underwrite restitution work activities. Some managers have found that the chances of getting reliable coverage at reasonable rates are increased by measures such as incorporation of the work component of the program or seeking group coverage on a statewide basis. The particular form that problems and solutions take varies widely, but innovative solutions have been found that, while not eliminating risk, do minimize concerns. (For more information about liability and insurance in restitution and work programs see Rubin and Feinman 1985, del Carmen and Trook-White 1986).

recruit offenders from residential facilities for community work slots conduct interviews and examine other indicators of attitude and motivation before placement. Insisting on strict conduct rules and consistent enforcement may be more important in programs taking serious offenders.

According to many program managers, common sense and sensitivity are keys to placing serious offenders, and some creativity is helpful in matching kids and jobs. Creativity is enhanced by the diversity of placement options. Programs that can offer private sector jobs, project-sponsored work crews, or subsidized public-agency placement can accommodate a wider range of offenders than those that focus only on placement with private employers.

Thus, rather than screening out workers, many projects can focus on screening to determine the most appropriate match between offender and placement. When there are concerns about placing offenders with outside employers, many programs now use work crews, both paid and unpaid, as an experiment to see how the offender will perform. According to one business supporter, performance in work crews "may be the best predictor of private sector job readiness."

REDEFINING THE PRIORITIES AND MISSION OF JUVENILE JUSTICE

Where restitution jobs components have been most successful, there has been a gradual tendency for juvenile courts to shift priorities and redefine the mission of probation. In more effective programs, this shift has often brought about a new emphasis on activities related to restitution and work and a deemphasis on traditional casework procedures.

As juvenile courts respond to a public demand for more accountability in juvenile justice, they gradually find that activities necessitated by a change in focus—e.g., collecting restitution and getting payments to victims—may compete with the traditional routines and responsibilities of probation. By simply adding new responsibilities to traditional casework requirements, staff would soon be overburdened. Requiring offenders to fulfill restitution and work requirements as add-ons to standard probation requirements or to terms of incarceration would only increase time under supervision, as well as the chances of failure.

Courts that have chosen to make restitution and work priorities have generally, at a minimum, offset new demands on staff and clients by reducing traditional probation requirements. Routine office visits, for example, are a staple of probation work. But in courts where managers have invested heavily in restitution and employment activities, these and other aspects of traditional casework are often replaced by or incorporated into such activities as work-crew supervision, job development, and job preparation. Since most jurisdictions have been unable to support comprehensive restitution and work programs independent of probation (or have found it undesirable to do so), what has often occurred is a shift in staff allocation and a redefinition of job titles or functions to accommodate these new priorities. Part of the revised mission statement of the Deschutes County, Oregon, Juvenile Department exemplifies these changes:

> Traditionally, juvenile courts have depended upon casework probation as a means to control and improve juvenile offender behavior. The Central Oregon Youth Conservation Corps will demonstrate that employment and training can be a more effective disposition than casework counselling. Time-ended periods of probation will be centered around successful completion of community service hours, successful completion of job training and placement, and payment of Court ordered restitution (see attached staff position descriptions).

Proponents of restitution and work programs that have made this transition argue that they have given up few, if any, traditional juvenile justice concerns or treatment responsibilities. Offender involvement in any work program, for example, virtually guarantees more supervision of an active nature than the standard monthly half-hour probation office visit. Investing in work and restitution has likewise been viewed as a more efficient way of accomplishing probation's traditional goal of rehabilitating offenders.

Generally speaking, however, a shift in the philosophy and mission of juvenile justice is implied. Recognizing that juvenile justice can't be all things to all people, a new emphasis on accountability, community protection, and enhancing offender competence will tend to replace traditional rehabilitative concerns as primary juvenile justice objectives.

The efficacy of traditional casework and counseling activities has been called into question. As the Quincy Earn-It program founder, Andrew Klein, has observed, juvenile justice professionals committed to restitution and work at some point become less concerned with the mental health of the "well adjusted juvenile rapist or robber who now feels good about himself" and more focused on an active effort to ensure that the offender "makes it right" with victims and the community.

For those committed to employment, however, concern with the offender is by no means abandoned. The emphasis on work and employment involves a commitment to improving offender competence and prospects for the future. Real opportunities to learn to work at productive activities are provided.

Job Descriptions for
Work-Oriented Restitution Programs

Management Specialist I

Crew Leader: Supervises a crew of up to 10 corps members working in natural resource conservation work; responsible for carrying out work assignments and insuring that work is performed in a safe manner and with quality outcomes; acts as a role model for corps members to exemplify the type of behavior expected from employers; is directly involved in the manual labor of each project to demonstrate necessary work skills, both technical and behavioral.

Supervisor: Under direct supervision of the YCC Project Manager and general supervision of executive director. Will supervise crew of youth.

Principal duties: Arrange crew projects, materials, and labor costs.

Provide transportation to and from work assignment locations.

Establish and maintain open communications and dialog between project activities and general public.

Resolve interpersonal difficulties that may arise in the course of project activities and assure adherence to project goals and timelines in order to increase productivity.

Prepare required progress reports.

Knowledge, abilities, skills: A sincere interest, personal commitment, and positive attitude toward youth.

Environmental knowledge, vocational and manual skills and an understanding of today's youth.

Knowledge of Central Oregon area and resources.

Strong leadership skills and cooperative abilities.

Good driving record.

Qualifications: Preparation for this job may be partially gained through education; however, the minimum requirement is relevant supervisory experience.

(from Deschutes County Probation Department, Oregon)

Job Description

Counselor

Client operations: Consult with social worker prior to placement of all cases.
Meet with juvenile and parents to discuss YRP expectations and procedures and answer questions about the juvenile justice system.
Document all contacts with regard to a case in communications book.
Conduct weekly face-to-face contacts with assigned cases.
Assess and train clients for placement in public/private sector jobs.
Place clients in public or private sector jobs.
Counsel, support, or confront cases as necessary.
Negotiate a signed restitution contract with all cases.
Collect restitution payments from clients in the private sector.
Provide followup services to eligible, interested youth.

Job site relations: Develop jobs in public/private sector to meet the needs of individual clients.
Contact job site supervisors weekly while juvenile is working.
Submit weekly timesheets for all clients in program jobs.
Provide ongoing training/support to job site supervisors.
Send out written acknowledgment of appreciation to job site whenever a client leaves

Relations with significant others: Attend dispositional/ extension hearings of ongoing cases.
Submit written reports to judges, district attorney's office, and social worker when necessary.
Communicate with parents, social worker, or significant others on a monthly basis.
Coordinate services with schools and other programs to facilitate client's program participation.

Program operations: Attend weekly staff meeting and other meetings scheduled by director.
Maintain working knowledge of all written policies and procedures.
Maintain confidentiality of all juveniles in the program.
Participate in the ongoing development and formulation of program policy and procedures
Establish and keep current a case file for all assigned cases.
Write a termination letter within 7 days of the time a client completes the program.

Other activities: Attend conferences/workshops which promote ongoing, personal professional development.
Perform other duties, mutually agreed upon with director, that enhance program operation.

(from Dane County, Wisconsin, Juvenile Restitution Program)

A final element in the growing shift away from traditional treatment-focused goals in departments that emphasize work and restitution is a renewed focus on community protection.

The investment of court resources in work programs appears to be a cost-effective way of providing public protection while keeping offenders in the community. Participation in structured work projects like those of closely supervised crews offers assurance that an offender's time is occupied in legitimate productive activities and not delinquent ones.

Part III. Implementation and Training Guide

Using the outline

Variations in local needs, resources, and job assistance goals will guide the long-term process of establishing jobs components. The topic outline that follows is a general blueprint for a 2- to 3-day training conference designed to help participants implement an employment effort. Training topics are presented at a general level in order to encourage facilitators and participants to provide content from their own experiences.

Facilitators may wish to use material from this outline and the monograph as overheads or handouts supplemented by other resource materials. One or more consultants familiar with youth employment strategies in a range of community settings should serve as training facilitators.

A restitution program manager, a chief probation officer, and an individual knowledgeable about local employment issues might assist the facilitators as a training and implementation team. This team should be involved in planning stages and be present throughout the training. Other specialized committees could be designated around particular issues identified during the planning process. These participants (e.g., employers, directors of community organizations) might be asked to take part in selected sessions.

A major premise of the training is that the best approaches evolve locally and are somewhat unique to each community. Thus, while trainers should suggest strategies and solutions that have worked elsewhere (this manual provides many examples), much of the learning should come from group brainstorming exercises and discussion.

Facilitators may rely more or less on discussion rather than lecture depending on the experience of the group and the topic. They should focus primarily on raising issues, provoking discussion, and keeping participants moving toward the next activity. As much information as possible should be elicited from the group about community resources, current youth employment opportunities and related topics.

A "Current Practice and Resource Assessment" questionnaire, included as Attachment A, should be completed prior to the training.

Information and training exercises are presented more or less sequentially: getting familiar with several approaches, assessing community resources, identifying work projects or potential employers, etc. Since no group is likely to cover every issue in detail, even in a 3-day session, trainers may want to focus primarily on one strategy, deemphasizing approaches that seem inappropriate for a given setting. Trainers may also make adjustments in procedure, as well as in content, to meet local needs and time constraints.

The following is a possible schedule for a 2- or 3-day training process.

Suggested training schedule

2 weeks prior to onsite training:

• Questionnaire sent to training team to elicit information about current practices, local jobs, and resources (see Appendix A).

• Local team members begin to outline or describe current employment efforts and who is responsible (may include contractors). The resource portion of the questionnaire focuses thinking around the first task of the training: to identify current employment patterns and support groups.

1 week prior:

• Outline and proposed schedule for onsite training distributed to training team.

Day 1

Morning—Background presentation by consultant(s) based on materials in Parts 1 and 2 of monograph:

Section 1, "Starting out: Assessing local resources"

Afternoon—Section 2, "Finding and choosing work"

Section 3, "Community service work crews"

Day 2

Morning—Section 4, "Paid work crews"
Section 5, "Private business placements"

Afternoon—Section 6, "Individual placements in public agencies"

Section 7, "Problem solving"

(For 2-day session, include "Conclusion.")

Day 3 (if needed)

Morning—Section 8, "Placement decisions in a comprehensive program"

Afternoon—Section 9, "Conclusion—Developing strategy: where to go from here"

Training and implementation guide

Preliminaries: Introduction to the training process

Facilitators discuss goals of the training, clarify participant roles, define terms, etc.

1. Starting out: Assessing local resources

Focus: The goal of this section is to emphasize the importance of examining the local economy, youth employment patterns (e.g., kinds of work available) as well as community and juvenile justice resources and support groups prior to choosing an initial strategy.

A. Current practice

(Facilitator: Try to flesh out responses to the preliminary questionnaire on local resources and current job assistance efforts by getting the group to discuss the topics below)

1. Need: What proportion of court referrals currently have jobs? Estimates of how many can't pay because they lack jobs? Proportion of cases now paying restitution in full?

2. What job assistance efforts are currently underway in local court(s) and probation offices? Any motivated individuals (e.g., probation officers) currently doing job development or placement?

3. What job assistance efforts are currently underway in other community organizations?

4. List support groups that could help (Boys Clubs, YMCA, 4–H, Chamber of Commerce or business organizations, American Association of Retired Persons, etc.). Also identify needed endorsers—civic and business, local government, etc.

B. Necessary internal resources and current status

1. Strong judicial leadership or equivalent (chief probation officer (CPO) often takes lead)—need to sell CPO first.

2. At least one person with time and financial support for outreach and implementation. This person, with input from key actors, takes charge of the scope and direction of the project, though may later delegate internally and externally. (Funding and support for this person?)

C. Local employment patterns and community characteristics

(Facilitator: Focus on participants' local communities in answering questions below)

1. Are there small-business jobs youth could perform?

2. Is there work available in public agencies? What public agencies have tasks youths could perform?

3. Is there a track record of hiring delinquents in this community?

D. Community features and possible strategies

(Facilitator: Should point out that obstacles exist in all settings, but also resources and solutions)

Urban, rural, and other differences affecting youth employment options

1. Urban settings—Negatives (tougher youths, bureaucratic problems, competition between agencies); positives (wide range of jobs, many support groups, funding opportunities).

2. Rural settings—Negatives (few jobs, few community organizations, transportation and logistics); Positives (less bureaucracy, much needed work not being done).

3. Other community features affecting youth employment.

E. Obstacles to implementation

(Facilitator: This is the opportunity for participants to get concerns out in the open; try to elicit obstacles and constraints)

1. What are the major problems with employing juvenile restitution clients in the small businesses and public agencies listed above (e.g., lack of work experience, employer unwillingness to hire delinquents, liability, scarcity of jobs, inappropriate jobs)?

2. Critique current and past program/court employment efforts. What are the reasons for failures?

3. List all problems identified for intensive discussion later in the training.

2. Placement decisions in a comprehensive program

Focus: The goal of this section is to get participants to consider how a variety of placement types can increase flexibility in dealing with a wide range of offenders.

(Facilitator: Create case examples, e.g., Johnny is a burglar with three priors and no work history; your program currently has a work crew in city parks and several private business job slots. Ask the group to make decisions about the most appropriate placements)

Address the following issues:

1. The best use of available resources.

2. Matching kids and types of jobs (e.g., crew/individual, public/private).

3. Interviewing and hiring.

4. Performance expectations.

5. Termination.

6. Making offenders take initiative (in three types of programs).

3. Finding and choosing work

Focus: Assuming participants identify problems in initiating traditional employment options, this section takes a different approach—emphasizing work that needs to be done in communities rather than available jobs. Program people should begin to see themselves as a resource to employers and the community.

A. Practical considerations in choice of work for restitution clients

(Facilitator: Discuss each item below and ask for additional practical concerns)

1. Task feasibility and ease of implementation.

2. Visibility and public relations value.

3. Cost and funding potential.

4. Safety and liability.

B. Probable impact on youth

(Facilitator: Acknowledge that we can seldom be picky in employing delinquents. However, we need to consider potential negative effects of certain types of employment and set priorities for the kinds of work projects and placements that seem best for young offenders)

Short presentation of the national experience in youth employment: "What Works and What Doesn't."

Discuss:

1. Negative impacts of certain jobs for young people.

2. Aspects of good placements and good work projects.

3. "Added value" characteristics of job placements (e.g., educational value, learning work habits, conservation appreciation)—how to enhance physical labor jobs (see chapter 6 of monograph and bibliography for other reference material for presentation and discussion).

C. Sources of ideas for work projects

1. Business groups.

2. Community advisory boards.

3. Recreation and tourist associations.

4. Service clubs.

5. All other organizations and individuals you want as funders or advocates.

Exercise: List two short-term work projects in your community suitable for youth work crews; two individual placements in public sector agencies; and two private business jobs. Keep negative and positive job characteristics in mind and critique your selections on this basis (allow 5–7 minutes).

Debriefing:

(Facilitator: Select participants to describe their placements or projects, their strengths and weaknesses. This should lead to a group effort to define some general objectives for a jobs component, e.g., relative emphasis on benefits to youth vs. the community vs. getting restitution paid off quickly)

4. Community service work crews

Focus: While projects will try to develop a jobs component that is as comprehensive as possible, crews are recommended as a generic strategy to begin a job assistance effort.

(Facilitator: Review the three basic employment strategies here: private sector job banks, project-supervised work crews, subsidized individual placements. Discuss the advantages of selecting one approach to begin, e.g., concentrating limited resources, simplifying presentations to support and funding groups)

A. The advantages of starting out with work crews

1. Ease of mobilization for community projects.

2. Independent of employers and other agencies.

3. High visibility, attractive to the press and community.

4. Provides a track record or "product" from which to sell employers on a paid work strategy.

5. Most restitution programs eventually develop crews for unpaid community work service orders; regardless of whether they are used as a paid work option, crews are a resource for certain kinds of referrals.

B. Background, variation, and examples

(Facilitator: Provide a general description and examples of work crew organization, supervision, transportation, etc.)

C. General advantages of work crews

1. Suitable for difficult-to-place or very young offenders.

2. Community incapacitation of high risk offenders due to close supervision of work, physical tiring; weekend and evening possibilities.

3. Positive peer association, learning to work with others.

4. Staff controls choice of work, consistency, and type of supervision.

5. Supervisors may use to teach employer expectations.

5. Paid work crews

Focus: Here the group begins to discuss actual paid work strategies.

A. Considerations in selecting projects:

(Facilitator: Present a few examples of projects that combine two or more of the above elements)

1. Should not be "make work"; should be easily identified as useful and meaningful.

2. Should have clear public benefit such as improving quality of life or promoting economic development.

3. Should have a clear start and finish, an identifiable product.

4. Should provide educational value and linkage, diversity of tasks.

5. Should not compete with organized labor or the livelihoods of other citizens.

B. Funding strategies

1. Preliminaries: Discuss public relations and support groups (endorsements and letters); packaging services (restitution and work); answering questions employers and the community will ask *(see Section 8, Problem solving,)*; forming boards and using organizational alliances.

2. Subsidies: Approach public agencies, foundations, building coalitions; develop creative sources of subsidy funds: victims' funds, bottle bills, fines, special tax on video machines, soda pop. Are there others? Do they seem feasible in this part of the country or this community?

3. Contracts: Approaching public agencies; incorporating; writing contracts. Which local agencies are possibilities? Local or regional examples: power company, parks, and recreation. National examples: Forest Service, Bureau of Land Management, sportsmen's and conservation societies.

4. Other? Creative strategies.

Resources: Sample contracts, letters, etc. Suggested video: "Youth at Work" (Juvenile Court Resources, Inc., 368 SW. 5th Avenue, Ontario, Oregon 97914, Phone 503–889–7864, Contact Person: Jim Mosier)

Group Exercise A: Write a letter to one of the following (allow 15 minutes):

1. A funding agency or county or State official, asking for a grant to subsidize a community work project (describe project).

2. A public works or recreation agency, asking for a meeting to discuss a contract for services with a work crew.

Debriefing: Read sample letters from participants and solicit group comments.

Group Exercise B: (allow up to 30 minutes).

1. Draft a policy statement for county officials covering all operations of a proposed work crew for your restitution program.

2. Develop an outline that includes insurance and liability concerns, supervision, equipment, transportation, labor, and liability issues.

Debriefing should be done as part of Section 8, "Problem solving," below.

Resources: Other policy manuals on crews, brochures, etc.

6. Private business placements

A. Background, variation, and examples; advantages and disadvantages

B. Funding strategies

1. Preliminaries (see 4.A. above)—special support groups.

2. Strategies for approaching businessmen.

Group Exercise A: Write a letter to one of the following (allow 15 minutes):

1. A local businessman asking him to hire offenders with restitution orders;

2. Your local chamber of commerce suggesting formation of a restitution job bank and asking for its support.

Debriefing: Read sample letters from participants and solicit group comments.

Group Exercise B: Draft a brochure for local businessmen with questions and answers about employing young offenders referred to them. (Debriefing should be done as part of Section 8, "Problem solving") (Allow up to 30 minutes.)

Resources: Employer brochures; other policy statements; sample contracts; sample letters; sample business brochures. Suggested video: "The Earn-It Program" (Quincy District Court, 1 Dennis Ryan Parkway, Quincy, MA 02169, Phone 617–471–7653, Contact Person: Andrew Klein)

7. Individual placements in public agencies

A. Background, variation, and examples:

1. Advantages and disadvantages.

2. Good placement ideas.

B. Funding strategies:

1. Preliminaries (see 6.A. above).

2. Subsidies (see 6.A. above).

3. Other strategies.

Group Exercise A: Write a letter to a funding agency or foundation asking for a grant to subsidize public sector placements for your restitution cases (allow 15 minutes).

Debriefing: Read sample letters from participants and solicit group comments.

Group Exercise B: Draft a policy statement for county officials covering all operations of your restitution program public agency jobs component. Develop an outline that includes insurance and liability concerns, supervision, equipment, transportation, and labor relations. (Debriefing should be done as part of Section 8, "Problem solving") (Allow up to 30 minutes.)

Resources: List placements; employer handouts; employers' guide.

8. Problem solving

(Facilitator: This section should serve as a debriefing for Group Exercise B as presented in Sections 4 through 6 above. The discussion should focus on how each problem listed below can be resolved in work crews, private sector job slots, and individual public agency placements)

1. Staffing and resources
   - — hiring crew leaders
   - — transportation
   - — in-kind support
   - — volunteers

2. Screening and placement

3. Supervision and enforcement; monitoring and collection process

4. Employer relations—expectations of employers and the program

5. Liability

6. Relations with !abor

9. Conclusion—Developing a strategy: Where to go from here

The training team should try to summarize discussions of the previous days. Specifically, they should reiterate major conclusions of the group concerning the most appropriate strategies to begin a jobs component and review the list of obstacles to be overcome. An action plan should be developed, future meetings of the training team and other core members scheduled, and participants assigned to committees to pursue various issues.

Attachment A

Practice and resource assessment

Please answer as accurately as possible, providing detail where appropriate. Return to facilitator prior to training.

1. Are individuals in your program or court currently involved in job assistance activities for delinquents?
   — What kinds of things are they doing?

   — What needs to be done in your opinion to ensure placement of more of your court or program's cases in jobs?

2. What other agencies in your county provide job assistance services?

   — What services do these agencies provide?

   — Does your program or court make referrals to these agencies?

   — If yes, how successful would you say they are in:

      Placing offenders in jobs?

      Assisting offenders in job search and job skills?

      Job development?

   — If no agencies provide job services to your cases, why not?

3. List in order the top three sources of employment in your community (court jurisdiction). Please list the general category (e.g., small business, large corporations, government, farming) and specific classifications if possible (e.g., university, lumber mill).

4. What kinds of employers in your community now hire persons 18 and under?

5. What employers have hired delinquents?

6. In your opinion, what are the top three obstacles to employing delinquents in your community? Please include both external obstacles (lack of jobs, inadequate training) as well as constraints internal to your agency (e.g., no staff to do training or development; insurance/liability concerns) if applicable.

7. Describe any job assistance efforts that you know about (other than any mentioned above) undertaken by your court or agency in the past 5 years.

      If successful, why were these efforts ended?
      If unsuccessful, why do you think these efforts failed?

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